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REPORT OF SUSPECTED CHILD ABUSE OF SURRENDERED BORN ALIVE INFANT

House Bill 5997

Sponsor: Rep. Barb Vander Veen
Committee: Family and Children
Services

Complete to 5-3-02

A SUMMARY OF HOUSE BILL 5997 AS INTRODUCED 5-2-02

Under the Safe Delivery of Newborns Law, a physician who examines a surrendered newborn and who determines that there is reason to suspect the newborn has experienced child abuse or neglect or has reasonable belief that the child is not a newborn is required to report to the Family Independence Agency under the provisions of the Child Protection Law (Public Act 238 of 1975).

Under the Child Protection Law, unless a physician is required to report suspected abuse under the Safe Delivery of Newborns Law, the surrender of a newborn under the safe delivery law is not reasonable grounds to suspect child abuse or neglect, and is not subject to the reporting requirements of the Child Protection Law.

The bill would add that the above provision of the Child Protection Law would also apply to a newborn who was born alive as the result of an attempted abortion and surrendered under the provisions of the Born Alive Infant Protection Act, and who is also considered to be a newborn surrendered under the Safe Delivery of Newborns Law.

The bill is tie-barred to House Bill 5994, which would create the Born Alive Infant Protection Act.

MCL 722.618

Analyst: M. Wolf

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